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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,151	02/27/2002	Mayo Toyota	04329.2744	6611
7590	04/08/2005		EXAMINER	
Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P. 1300 I Street, N.W. Washington, DC 20005-3315			JOO, JOSHUA	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 04/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/083,151	TOYOTA ET AL.	
	<b>Examiner</b> Joshua Joo	<b>Art Unit</b> 2154	

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 27 February 2002.

2a)  This action is FINAL.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-20 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date .  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_ .  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: .

1. Claims 1-20 are presented for examination.
2. Claims 1-20 are rejected.

***Information Disclosure Statement***

3. The information disclosure statement filed 02/27/2002 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-4, 6-12, 14-20 are rejected under 35 U.S.C. 102(e) as being unpatentable by Knight et al, US Patent #6,571, 234 (Knight hereinafter).

6. As per claims 1,9, and 17, Knight teaches an invention for managing an online message board. The online message board includes a server, which contains software routines for

servicing the functions of the online service provider (Col 8, lines 16-21). Knight's invention comprises of:

access control means for making user authentication of a client terminal as an access request source so as to permit the client terminal to post a message (Col 8, lines 53-55; Col 9, lines 4-5; Col 12, lines 40-42. Users of computer systems subscribe and authenticate to post messages.); and

community processing means for managing a virtual community in which a plurality of client terminals can participate, and categorizing and accumulating messages posted, to the virtual community, from the client terminals, which are granted access permission by said access control means, for respective topics, said community processing means including (Col 8, lines 16-18, 22-40; Col 8, lines 40-42. An online electronic message board system comprises of an online community of users, where messages are posted and organized into categories, where users are granted access to post and view messages.):

message subscription type setting means for setting a subscription type indicating the way a user subscribes to the categorized and accumulated messages in accordance with an instruction from that user (Col 13, lines 15-25; Col 15, lines 1-8, 20-24. User chooses which categorized messages the user wants to receive.).

7. As per claims 2, 10, and 18, Knight teaches an invention for managing an online message board. The online message board includes a server, which contains software routines for servicing the functions of the online service provider (Col 8, lines 16-21). Knight's invention comprises of:

access control means for making user authentication of a client terminal as an access request source so as to permit the client terminal to post a message (Col 8, lines 53-55; Col 9, lines 4-5; Col 12, lines 40-42. Users of computer systems subscribe and authenticate to post messages.); and

community processing means for managing a virtual community in which a plurality of client terminals can participate, and categorizing and accumulating messages posted, to the virtual community, from the client terminals, which are granted access permission by said access control means, for respective topics, said community processing means including (Col 8, lines 16-18, 22-40; Col 8, lines 40-42. An online electronic message board system comprises of an online community of users, where messages are posted and organized into categories, where users are granted access to post and view messages.);

message subscription type setting means for setting a subscription type indicating the way a user subscribes to the categorized and accumulated messages in accordance to the categorized and accumulated messages in accordance with an instruction from a predetermined administrator (Col 19, lines 55-60; Col 20, lines 1-21, 55-60. The service provider may categorize new data that might be of interest to subscribers. The service provider identifies and presents new information to the particular online community.).

8. As per claims 6, 14, and 19, Knight teaches an invention for managing an online message board. The online message board includes a server, which contains software routines for servicing the functions of the online service provider (Col 8, lines 16-21). Knight's invention comprises of:

access control means for making a user authentication of a client terminal as an access request source so as to permit the client terminal to post a message (Col 8, lines 53-55; Col 9, lines 4-5; Col 12, lines 40-42. Users of computer systems subscribe and authenticate to post messages.); and

community processing means for managing a virtual community in which a plurality of client terminal can participate, and categorizing and accumulating messages posted, to the virtual community, from the client terminals, which are granted access permission by said access control means, for respective topics, said community processing means including (Col 8, lines 16-18, 22-40; Col 8, lines 40-42. An online electronic message board system comprises of an online community of users, where messages are posted and organized into categories, where users are granted access to post and view messages.):

reply message processing means for automatically determining, when a reply mail message use to post a reply message is sent back from the client terminal in response to a mail message used to deliver the categorized and accumulated message to a subscriber, automatically determining a virtual community to which the reply message should belong by analyzing a message header of the reply mail message, and categorizing and accumulating the reply message (Col 12, lines 1-11, 20-24, 40-42; Col 13, lines 15-25; Col 15, lines 1-8, 20-24. User of a computer system chooses which categorized messages the user wants to receive. The subject matter area of a reply message from the user is analyzed to categorize the message and then posted on the message board.).

9. As per claims 7, 15, and 20, Knight teaches an invention for managing an online message board. The online message board includes a server, which contains software routines

for servicing the functions of the online service provider (Col 8, lines 16-21). Knight's invention comprises of:

access control means for making a user authentication of a client terminal as an access request source so as to permit the client terminal to post a message (Col 8, lines 53-55; Col 9, lines 4-5; Col 12, lines 40-42. Users of computer systems subscribe and authenticate to post messages.); and

community processing means for managing a virtual community in which a plurality of client terminal can participate, and categorizing and accumulating messages posted, to the virtual community, from the client terminals, which are granted access permission by said access control means, for respective topics, said community processing means including (Col 8, lines 16-18, 22-40; Col 8, lines 40-42. An online electronic message board system comprises of an online community of users, where messages are posted and organized into categories, where users are granted access to post and view messages.):

reply message processing means for automatically determining, when a reply mail message use to post a reply message is sent back from the client terminal in response to a mail message used to deliver the categorized and accumulated message to a subscriber, automatically determining a virtual community to which the reply message should belong by analyzing a subject of the reply mail message, and categorizing and accumulating the reply message (Col 12, lines 1-11, 20-24, 40-42; Col 13, lines 15-25; Col 15, lines 1-8, 20-24. User of a computer system chooses which categorized messages the user wants to receive. The subject matter area of a reply message from the user is analyzed to categorize the message and then posted on the message board.).

10. As per claims 3 and 11, Knight teaches the invention, wherein the administrator is determined for each individual virtual community (Col 8, lines 52-55. Service provider sets forth rules and instructions for the online community.).

11. As per claims 4 and 12, Knight teaches the invention, wherein said message subscription type setting means sets a subscription type of each user for each individual virtual community (Col 13, lines 15-25; Col 15, lines 1-8, 20-24; Col 16, lines 39-51. User chooses which categorized messages the user wants to receive.).

12. As per claim 16, Knight teaches a method according to claim 14, wherein the reply message processing means includes the step of further automatically determining a topic to which the reply message should belong (Col 12, lines 2-15. Posting logic determines which categories the reply messages should belong.).

***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

14. Claims 5 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knight and in view of MacNaughton et al, US Patent #5,796,393 (MacNaughton hereinafter).

15. As per claims 5 and 13, Knight teaches the subscription type that includes browsing via a browser (Col 9, lines 4-6).
16. Knight does not teach the invention, wherein the subscription type includes via mail.
17. MacNaughton teaches an invention for an online service community, where subscribers of the community interact with each other based on posting messages and by emails through the use of a web browser (Col 5, lines 48-55; Col 7, lines 8-10; Col 8, lines 56-57; Col 22, lines 20-22).
18. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Knight and MacNaughton because both inventions deal with subscribers interacting with each other on online communities. Knight teaches of an online message board where users communicate through the posting of messages. It would also have been desirable to use emails because doing so improves Knight's invention by providing another simple method of providing information and communicating with other users through a web browser.

### ***Conclusion***

19. The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Block et al, US Publication #2003/0050976, teaches an invention for a plurality of community areas, where information is exchanged through each registered user.

20. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Joo whose telephone number is 571 272-3966 and fax number is 571 273-3966. The examiner can normally be reached on Monday to Thursday 8 to 5:30.
22. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 571 272-3964.
23. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 30, 2005  
JJ

JOHN FOLLANSBEE  
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